

**STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS,  
CONCURRING**

Re: *AT&T Petition for Declaratory Ruling Regarding Enhanced Prepaid Calling Card Services; Regulation of Prepaid Calling Card Services*, Order and Notice of Proposed Rulemaking (WC Docket No. 03-133)

By law, this Commission has a duty to preserve and advance universal service. In some ways we live up to that charge today. But in others our analysis falls short. We clarify in this item that AT&T calling card services that include incidental announcements or advertisements are basic telecommunications services, subject to universal service obligations. This sets straight a messy situation and I support the result.

Still, I am concerned with the backward-looking nature of our decision. By starting a Notice of Proposed Rulemaking, the Commission suggests that going forward the boundary between calling cards subject to universal service and those that are not is whether they feature an automated voice that coos on the line “press 1 for more information.” There may be a bright line out there between services subject to regulatory authority and those that are not. But I doubt this is it. And by initiating a proceeding based on this distinction, the Commission all but ensures that calling card confusion from the past is perpetuated in the future. Because I believe we have deeper analytical duties when it comes to universal service, I choose to concur.